

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13338 of 2023

Applicant :- Om Prakash Verma

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.

Counsel for Applicant :- Ajeet Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Ajeet Kumar, the learned counsel for the applicant as well as Sri Gyanendra Singh, the learned A.G.A. for the State and perused the record.

2. The instant application has been filed seeking release of the applicant on bail in Case Crime No.25 of 2023 , under Sections 409, 420, 467, 468, 471, 34 I.P.C. registered at Police Station- Kotwali Nagar, District-Barabanki.

3. The aforesaid case has been registered on the basis of F.I.R. lodged on 06.01.2023 against six persons including the applicant, alleging that the informant had paid some amount for obtaining a plot in Sankalp City which was being developed S.T.S. Infra Developers Builders but neither any plot was given to him nor was his money refunded.

4. In the affidavit filed in support of the bail application, it has been stated that the applicant is neither a director nor any principal officer of the aforesaid company and has falsely been implicated in the present case.

5. The applicant's involvement in 45 cases of similar role has been disclosed in the affidavit filed in support of the bail application, in 20 of which, the applicant is already granted bail.

6. The learned A.G.A. has opposed the prayer of the bail, but he could not dispute the aforesaid aspects of the matter.

7. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant is languishing in jail since 17.01.2023, without making any observations which may affect the merits of the case, I am of the view that the applicant is entitled to be released on bail.

8. Accordingly, this bail application stands allowed.

9. Let the applicant- Om Prakash Verma be released on bail in the aforesaid case, on furnishing a personal bond and two sureties each in

the like amount to the satisfaction of Magistrate/Court concerned, subject to the following conditions: -

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

(Subhash Vidyarthi, J.)

Order Date :- 8.11.2023

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